IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 8779 of 2004

Between:

Syed Meeran Mohiuddin Quadri S/o Syed Tajuddin Quadri,
R/o 2-4-696/2, A.K.M. Compound, Kachiguda, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad.
2 The Asst. Commissioner of Police, Kachiguda, Hyderabad.
3 The Station House Officer, Kachiguda Police Station, Kachiguda, Hyderabad.
4 Syed Badruddin Quadri, R/o Mudfort, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction in the nature of Mandamus declaring the action of the respondents 1 to 3 in not initiating any proceedings against the 4th respondent having received the report on 16-4-2004 being the protector of law and order amounts to dereliction of duty.

For the Petitioner:MRSYED SHAREEF AHMED, Advocate
For the Respondent No.: GP FOR HOME
The Court Made the Following :

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the Respondents l to 3 in not initiating the proceedings against the 4th respondent in spite of the complaint received against the 4th respondent.

According to the petitioner, the originally *Mutavalli* appointed by

the competent authority has left the country and in his absence, the 4th respondent, who is the brother of the original *Mutavali,* is trying to interfere with the management of the institute. Therefore, the petitioner filed a complaint to take appropriate action before the respondents 1 to 3. As no action has been taken, the petitioner has come up with the present Writ Petition.

At the time of hearing the learned Government Pleader, on instructions, has stated that since a civil suit has already been filed, and the same is pending before the Tribunal and the issue relates to the civil dispute, the respondents-police authorities are not declining to go into the complaint lodged with them.

In the light of the above, and in view of the pendency of a civil suit - O.S.171/2001, which is pending, it is proper to the petitioner to approach the Tribunal for appropriate orders.

The petition is, accordingly, disposed of.

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S. Ananda Reddy, J.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Police, Hyderabad.
2 The Asst. Commissioner of Police, Kachiguda, Hyderabad.
3 The Station House Officer, Kachiguda Police Station, Kachiguda, Hyderabad.
4. 2CCs to G.P. for Home, High Court, Hyderabad (OUT)
5. 2CD copies

DVS

THE HONBLE MR. JUSTICE S. ANANDA REDDY

W.P.No. 8779 of 2004

ORAL ORDER

28…06…2004